

## **REMARKS**

### **Interview Summary**

On May 8, 2009, a telephonic interview was conducted between Examiner Zervigon and Marc S. Hanish, Reg. No. 42,626. The Examiner is kindly thanked for granting this interview. During this interview, several proposed amendments were discussed. The Examiner suggested that a negative limitation be added stating that the flat plate fixed orifice has no vanes in order to differentiate it from the prior art iris valve. The present amendment is intended to reflect this suggestion.

### **Substantive Remarks**

Claim 13 is objected to under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 13 has been amended to correct this error.

Claims 1-7, 9, 15, 17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being anticipated by Motoda; Takashi et al. (U.S. Patent No. 5,496,408) in view of Shinozuka; Shyuehi et al. (U.S. Patent No. 6,315,858).

Claims 8, 11, 13, 14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoda; Takashi et al. (U.S. Patent No. 5,496,408) and Shinozuka; Shyuehi et al. (U.S. Patent No. 6,315,858), in view of Ohmi, Tadahiro et al. (U.S. Patent No. 5,313,982).

Claims 1 and 18 have been amended to make clear that the flat plate fixed orifice is immovable, has an aperture whose size cannot be changed after manufacture, and does not contain vanes. As such, Applicant respectfully submits that the claims are now differentiable from the iris valve in Shinozuka.

Dependent claims 2-7, 8, 9, 11, 13, 15, 17, 19, and 20 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, claims 2-7, 8, 9, 11, 13, 15, 17, 19, and 20 are not anticipated or made obvious by the prior art and/or the official notice outlined in the Office Action.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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